

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	EDTN at Knox. Case No. 3:04-cr-179
vs.	)	EDTN at Chatt. Mag. No. 04-448M
	)	
GREGORY ALEC PHILLIPS	)	Judge Phillips/Shirley

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on December 8, 2004, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure for an initial appearance of the defendant on the Indictment and Warrant for Arrest out of the Eastern District of Tennessee at Knoxville. Those present for the hearing included:

- (1) AUSA Wayne Rick for the USA.<sup>1</sup>
- (2) The defendant, GREGORY ALEC PHILLIPS.
- (3) Attorney Lafonda Jones for defendant.<sup>2</sup>
- (4) Deputy Clerk Pam Scott.

After being sworn in due form of law, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney Lafonda Jones of Federal Defender Services was appointed to represent the defendant. It was ascertained defendant had been provided with a copy of the Indictment and had the opportunity of reviewing that document with Atty. Jones. It was determined the defendant was capable of being able to read and understand the copy of the aforesaid document he had been provided.

AUSA Rich moved defendant be detained without bail pending a hearing in the Knoxville, Tennessee.

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<sup>1</sup>AUSA Wayne Rich, Suite 301-1110 Market Street, Chattanooga, Tennessee 37402. Telephone: [423] 752-5140. Fax: [423] 752-5101.

<sup>2</sup> Attorney Lafonda Jones, Federal Defender Services, 707 Georgia Avenue, Suite 203, Chattanooga, Tennessee 37402. Telephone: [423] 756-4349. Fax: [423] 756-4345.

Findings

- (1) The defendant waived his Rule 5 identity hearing. The defendant asks to have a detention hearing in the charging district.

Conclusions

It is ORDERED:

- (1) Defendant shall be DETAINED WITHOUT BAIL pending his transfer to Knoxville.
- (2) The U.S. Marshal shall transport defendant to the Eastern District of Tennessee at Knoxville for a hearing on a date to be determined once defendant is in said district.

ENTER.

  
UNITED STATES MAGISTRATE JUDGE